

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gary C. Gitto

Application No.: 09/911,259

Filed: July 23, 2001

For: FLAME-RETARDANT BATTERY CASING



COPY OF PAPERS
ORIGINALLY FILED

Group Art: 1745

Examiner: Not Assigned

| | |
|---|--------------------------|
| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 | |
| on <u>3-14-02</u> | <u>Mary P. McDermott</u> |
| Date | Signature |
| Mary P. McDermott | |
| Typed or printed name of person signing certificate | |

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated September 14, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION/POWER OF ATTORNEY**

(Separate transmittal letter and postcard not required)

☒ **FILING FEE** – with Fee Transmittal for Patent Applications in duplicate.

(Separate transmittal letter and postcard not required)

☒ **SURCHARGE** – surcharge fee of \$65.

(Separate transmittal letter and postcard not required)

☐ **SEQUENCE LISTING** – Filed concurrently and is attached.

(Separate transmittal letter and postcard not required)

☒ **TRANSMITTAL OF SUBSTITUTE DRAWINGS**

☒ Sheets of substitute drawings consisting of Figs. 1-2, 3-3A, 4-9 are enclosed.

(Separate transmittal letter and postcard not required)

03/27/2002 HN00R1 00000018 09911259

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720.00 BP

[X] PETITION FOR EXTENSION OF TIME

- [X]** Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated September 14, 2001 for four month(s) from November 14, 2001 to March 14, 2002 .

The appropriate fee of \$720.00 is included in the enclosed check.

- []** A months extension of time to respond to the Notice to File Missing Parts dated was filed on with payment of a \$ fee.
- []** Applicant hereby petitions for an additional month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$ is included in the enclosed check.

(Separate transmittal letter and postcard not required)

- [] REQUEST FOR CORRECTED FILING RECEIPT** – Filed concurrently and is attached.

(Separate transmittal letter and postcard not required)

[X] STATEMENT CLAIMING SMALL ENTITY STATUS

- [X]** Was filed on September 12, 1997 in prior Application No. 08/891,764.
- []** Is enclosed herewith.
(Separate transmittal letter and postcard not required)
- []** In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$ which were paid on to be deposited in Deposit Account No.50-1935.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1,173.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 50-1935. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

By Thomas O. Hoover
Thomas O. Hoover
Registration No.: 32,470
Tel.: (508) 879-5700
Fax.: (508) 929-3073

Framingham, Massachusetts 01701

Date: March 14, 2002

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/911,259 | 07/23/2001 | Gary C. Gitto | 2137GITTO CON |

CONFIRMATION NO. 4377

FORMALITIES LETTER



OC000000006554322

THOMAS O. HOOVER, ESQ.
BOWDITCH & DEWEY, LLP
161 Worcester Road
P.O. Box 9320
Framingham, MA 01701-9320

COPY OF PAPERS
ORIGINALLY FILED

Date Mailed: 09/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$36.
 - \$36 for 2 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 876.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/27/2002 HN0001 00000018 09911259
01 FC:201 370.00 00
02 FC:205 65.00 00
01 FC:203 18.00 00



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PATENT APPLICATION
Docket No.: 071668.1001-108
(Prior No. 2137GITTO CON)

#9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gary C. Gitto
Application No.: 09/911,259 Group Art: 1745
Filed: July 23, 2001 Examiner: Not Assigned
For: FLAME-RETARDANT BATTERY CASING

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| On <u>3-14-02</u> Date | <u>Mary P. McDermott</u> Signature |
| <u>Mary P. McDermott</u> Typed or printed name of person signing certificate | |

TRANSMITTAL OF FORMAL DRAWINGS

Commissioner for Patents
Washington, D.C., 20231

Sir:

Transmitted herewith are formal drawings, sheets 1-7, figures 1, 2, 3-3A, 4-9, for filing in the subject patent application.

Acceptance of the formal drawing is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 50-1935.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

By Thomas O. Hoover
Thomas O. Hoover
Registration No. 32,470
Telephone (508) 879-5700
Facsimile (508) 929-3073

Framingham, MA 01701

Date: March 14, 2002

BOWDITCH & DEWEY, LLP

FEE TRANSMITTAL FOR PATENT APPLICATIONS

| | |
|------------------------|-----------------|
| Attorney Docket Number | 071668.1001-108 |
| Application Number | 09/911,259 |
| First Named Inventor | Gary C. Gitto |

CLAIM CALCULATION (includes any preliminary amendment)

| CLAIMS | (1) FOR | (2) NUMBER FIELD | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--|---------|------------------|---------------------|---|------------------|
| TOTAL CLAIMS (37 CFR 1.16(b) or (j)) | | 22- 20* = | 2 | 2 x \$ 18 = | \$36 |
| INDEPENDENT CLAIMS (37 CFR 1.16(b) or (j)) | | 3 - 3** = | 0 | x \$ 80 = | \$ 0 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | | + \$ 270 = | \$ |
| | | | | BASIC FEE (37 CFR 1.16(a) or (h)) | \$740 |
| | | | | Total of above Calculations = | \$776 |
| | | | | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | \$388 |
| | | | | TOTAL = | \$388 |
| | | | | Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) = | \$65 |
| | | | | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | \$720 |
| | | | | Assignment Recordation Fee = (only when filed with application) | \$ 0 |
| * Reissue claims in excess of 20 and over original patent | | | | TOTAL = | \$1,173 |
| ** Reissue independent claims over original patent | | | | | |



1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☒ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired
- c. ☐ is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 50-1935 for any fees required under 37 CFR §1.16 and §1.17 in order to maintain pendency of this application.
A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$[1,173]. ☐ Please charge \$[] to Deposit Account No.

4. ☐ Other: _____

| | | | |
|---------------------------------------|------------------|-------------|----------------|
| Signature | | Date | March 14, 2002 |
| Submitted by Typed or Printed Name | Thomas O. Hoover | Reg. Number | 32,470 |